

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

AUDREY F. EDMONDS,

Case No. 3:16-cv-416

Plaintiff,

Judge Thomas M. Rose

v.

DEPARTMENT OF VETERANS AFFAIRS,

Defendant.

**ENTRY AND ORDER OVERRULING OBJECTIONS (DOC. 5), ADOPTING
REPORT AND RECOMMENDATIONS (DOC. 4) AND DISMISSING
COMPLAINT (DOC. 3) WITHOUT PREJUDICE**

This case is before the Court on the Objections (Doc. 5) filed by pro se Plaintiff Audrey F. Edmonds (“Plaintiff”) to the Report and Recommendations (“Report”) (Doc. 4). In the Report, Magistrate Michael R. Merz, upon an initial review pursuant to 28 U.S.C. § 1915(e)(2), recommended that Plaintiff’s Complaint (Doc. 3) be dismissed without prejudice.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Plaintiff’s Objections (Doc. 5) to the Report (Doc. 4) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report (Doc. 4) in its entirety and **DISMISSES** the Complaint (Doc. 3) without prejudice to re-filing if Plaintiff can show an exception to sovereign immunity. This case shall be **TERMINATED** on the docket of this Court.

DONE and **ORDERED** in Dayton, Ohio, this Wednesday, November 2, 2016.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE